

MESSAGE NO: 4344304

MESSAGE DATE: 12/10/2014

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on aluminum extrusions from the People's Republic of China (C-570-968).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from JED Pool Toos, Inc. (JED). Commerce issued a final scope determination on 11/24/2014 that JED's telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes, which it imports, are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China (C-570-968).

2. Commerce determined that the leaf skimmers and rakes at issue enter the United States as pool cleaning tools that are fully and permanently assembled and completed at the time of entry, and are ready for use, as imported. Concerning the telescopic pool poles and detachable skimmer poles, Commerce determined that they are completely assembled and are designed to work with removable/interchangeable attachments. Commerce further determined that the inclusion of interchangeable attachments at the time of entry in order is not required to find that the telescopic pool poles and detachable skimmer poles constitute "finished merchandise." Thus, on this basis, Commerce determined that the telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes meet the exclusion criteria for "finished merchandise" and are not within the scope of the Order.

3. For all entries of telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes not within scope, as described above, that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate entries of telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes not within scope which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits and release any bonds relating to the telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes not within the scope described above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the
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telescopic pool poles, detachable skimmer poles, and leaf skimmers and rakes not within scope entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties and is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII: EBG.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party